

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN ADJUSTMENT OF RATES OF DELTA NATURAL ) CASE NO. 99-176  
GAS COMPANY, INC. )

ORDER

Delta Natural Gas Company ( Delta ) has moved to strike the Attorney General s ( AG ) witnesses on the grounds that the AG failed to comply fully with its requests for production of documents. The AG has moved to strike certain portions of the rebuttal testimony of Delta witness Steven Seelye. We deny both motions.

Having considered both motions and the responses thereto, the Commission finds that both motions are without merit. The AG has adequately responded to Delta s requests. His responses have not infringed upon Delta s right to cross-examine the AG s witnesses. We further find that, given the statements contained in the testimony of the AG s witnesses, the challenged portions of Mr. Seelye s rebuttal testimony were properly within the scope of rebuttal testimony.

IT IS THEREFORE ORDERED that:

1. Delta s Motion to Strike the Testimony of the AG s Witnesses is denied.
2. The AG s Motion to Strike and Bar from Consideration is denied.

Done at Frankfort, Kentucky, this 30<sup>th</sup> day of November, 1999.

By the Commission

ATTEST:

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Executive Director